

110TH CONGRESS
2D SESSION

S. 3136

To encourage the entry of felony warrants into the NCIC database by States and provide additional resources for extradition.

IN THE SENATE OF THE UNITED STATES

JUNE 16, 2008

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To encourage the entry of felony warrants into the NCIC database by States and provide additional resources for extradition.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fugitive Information
5 Networked Database Act of 2008” or the “FIND Act”.

6 **SEC. 2. DEFINITION.**

7 In this Act, the term “National Crime Information
8 Center database” is the computerized index of criminal
9 justice information operated by the Federal Bureau of In-
10 vestigation pursuant to section 534 of title 28, United

1 States Code, and available to Federal, State, and local law
2 enforcement and other criminal justice agencies.

3 **SEC. 3. GRANTS TO ENCOURAGE STATES TO ENTER FEL-**
4 **ONY WARRANTS.**

5 (a) STATE SYSTEM.—A State Attorney General may,
6 in consultation with local law enforcement and any other
7 relevant government agencies, apply for a grant from the
8 United States Attorney General to—

9 (1) develop and implement secure, electronic
10 warrant management systems that permit the
11 prompt preparation, submission, and validation of
12 warrants and are compatible and interoperable with
13 the National Crime Information Center database; or

14 (2) upgrade existing electronic warrant manage-
15 ment systems to ensure compatibility and interoper-
16 ability with the National Crime Information Center
17 database;

18 to facilitate information sharing and to ensure that felony
19 warrants entered into State and local warrant databases
20 can be automatically entered into the National Crime In-
21 formation Center database. The grant funds may also be
22 used to hire additional personnel, as needed, for the vali-
23 dation of warrants entered into the National Crime Infor-
24 mation Center database.

1 (b) ELIGIBILITY.—In order to be eligible for a grant
2 authorized under subsection (a), a State shall submit to
3 the United States Attorney General—

4 (1) a plan to develop and implement, or up-
5 grade, systems described in subsection (a);

6 (2) a report that—

7 (A) details the number of felony warrants
8 outstanding in the State;

9 (B) describes any backlog of warrants that
10 have not been entered into the State and local
11 warrant databases or into the National Crime
12 Information Center database, over the pre-
13 ceding 3 years (including the number of such
14 felony warrants);

15 (C) explains the reasons for the failure of
16 State and local government agencies to enter
17 felony warrants into the National Crime Infor-
18 mation Center database; and

19 (D) demonstrates that State and local gov-
20 ernment agencies have made good faith efforts
21 to eliminate any such backlog; and

22 (3) guidelines for warrant entry by State and
23 local government agencies that will ensure that fel-
24 ony warrants entered into State and local warrant
25 databases will also be entered into the National

1 Crime Information Center database and explain the
2 circumstances in which, as a matter of policy, cer-
3 tain felony warrants will not be entered into the Na-
4 tional Crime Information Center database.

5 (c) AUTHORIZATION.—There are authorized to be ap-
6 propriated to the Attorney General \$25,000,000 for each
7 of the fiscal years 2009 and 2010 for grants to State and
8 local government agencies for resources to carry out the
9 requirements of this section.

10 **SEC. 4. FBI COORDINATION.**

11 The Federal Bureau of Investigation shall provide to
12 State and local government agencies the technological
13 standard that ensures compatibility and interoperability of
14 all State and local warrant databases with the National
15 Crime Information Center database.

16 **SEC. 5. REPORT REGARDING FELONY WARRANT ENTRY.**

17 (a) IN GENERAL.—Not later than 270 days after the
18 date of the enactment of this Act, the Comptroller General
19 of the United States shall submit to the House and Senate
20 Committees on the Judiciary a report regarding—

21 (1) the number of felony warrants currently ac-
22 tive in each State;

23 (2) the number of those felony warrants that
24 State and local government agencies have entered

1 into the National Crime Information Center data-
2 base;

3 (3) the number of times State and local law en-
4 forcement in each State has been contacted regard-
5 ing a fugitive apprehended in another State over the
6 preceding 3 years; and

7 (4) the number of fugitives from each State
8 who were apprehended in other States over the pre-
9 ceding 3 years but not extradited.

10 (b) ASSISTANCE.—To assist in the preparation of the
11 report required by subsection (a), the Attorney General
12 shall provide the Comptroller General of the United States
13 with access to any information collected and reviewed in
14 connection with the grant application process described in
15 section 3.

16 (c) REPORT TO THE ATTORNEY GENERAL.—States
17 that receive grants under section 3 shall, as a condition
18 of receiving the grant, report to the Attorney General on
19 an annual basis the number of felony warrants entered
20 into the State and local warrant databases, the number
21 of felony warrants entered into the National Crime Infor-
22 mation Center database, and, with respect to felony war-
23 rants not entered into the National Crime Information
24 Center database, the reasons for not entering such war-
25 rants. On an annual basis, the Attorney General shall sub-

1 mit to the House and Senate Committees on the Judiciary
2 a report containing the information received from the
3 States under this subsection.

4 **SEC. 6. ADDITIONAL RESOURCES FOR FUGITIVE TASK**
5 **FORCES AND EXTRADITION.**

6 (a) PRESIDENTIAL THREAT PROTECTION ACT OF
7 2000.—Section 6(b) of the Presidential Threat Protection
8 Act of 2000 (28 U.S.C. 566 note) is amended by adding
9 at the end the following: “There are authorized to be ap-
10 propriated to the Attorney General for the United States
11 Marshals Service to carry out the provisions of this section
12 \$20,000,000 for fiscal year 2009 and \$10,000,000 for
13 each of the fiscal years 2010 through 2014.”

14 (b) JUSTICE PRISONER AND ALIEN TRANSPORT SYS-
15 TEM.—There are authorized to be appropriated to the At-
16 torney General for the United States Marshals Service
17 \$3,000,000 for each of fiscal years 2009 through 2014
18 to assist in extradition of fugitives through the Justice
19 Prisoner and Alien Transport System.

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